

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

DEVELIN DION RAY LAY,)
)
 Plaintiff,)
)
-vs-) Case No. CIV-24-1027-F
)
OKLAHOMA DEPARTMENT OF)
CORRECTIONS, et al.,)
)
 Defendants.)

ORDER

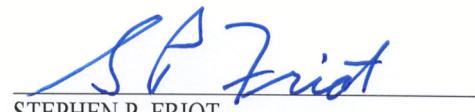
On December 20, 2024, United States Magistrate Judge Shon T. Erwin issued Report and Recommendation (doc. no. 16), recommending the court dismiss without prejudice plaintiff Develin Dion Ray Lay's 42 U.S.C. § 1983 complaint, in its entirety. Magistrate Judge Erwin advised plaintiff of his right to file an objection to the Report and Recommendation by January 7, 2025, and he specifically advised plaintiff that failure to make timely objection to the Report and Recommendation waives the right to appellate review of both factual and legal questions therein contained.

To date, plaintiff has not filed an objection to Report and Recommendation and has not requested an extension of time to file one. With no timely objection being filed, the court accepts, adopts, and affirms the Report and Recommendation.

Accordingly, the Report and Recommendation (doc. no. 16) issued by United States Magistrate Judge Shon T. Erwin on is **ACCEPTED, ADOPTED, and AFFIRMED**. Plaintiff Develin Dion Ray Lay's 42 U.S.C. § 1983 complaint, in its

entirety, is **DISMISSED WITHOUT PREJUDICE** pursuant to 28 U.S.C. § 1915(e)(2)(B) and 28 U.S.C. § 1915A(b).

DATED this 15th day of January, 2025.



STEPHEN P. FRIOT
UNITED STATES DISTRICT JUDGE

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